



~~May 5, 2004 BZA~~
July 7, 2004 BZA

REQUEST ANALYSIS
AND
RECOMMENDATION

04AN0236

Samuel W. Galstan, D.D.S.

Bermuda Magisterial District
12270, 12280 and 12290 Iron Bridge Road

REQUEST: A fifteen (15) foot Variance to the forty (40) foot rear yard setback requirement for a building addition.

RECOMMENDATION

Recommend denial of this Variance for the following reasons:

- A. As required by the Zoning Ordinance, there are no conditions upon which the request is based that are unique to the property and are not generally applicable to other properties in the area.
- B. Variance is not in accord with the Zoning Ordinance.

GENERAL INFORMATION

Location:

Property is known as 12270, 12280 and 12290 Iron Bridge Road. Tax IDs 780-652-4572, 5268 and 5963 (Sheet 26).

Existing Zoning:

C-2

Size:

1.206 acres

Existing Land Use:

Office

Adjacent Zoning and Land Use:

North - C-2; Residential
South - R-7; Residential
East - R-7; Residential
West - C-2; Vacant and residential

Utilities:

Public water and private septic system

General Plan:

(Central Area Land Use and Transportation Plan)

Mixed Use Corridor

DISCUSSION

The applicant is proposing to construct an addition onto the existing building. The addition will be located twenty-five (25) feet from the rear property line. The Zoning Ordinance requires a forty (40) foot rear yard setback; therefore the applicant requests a fifteen (15) foot Variance (see attached plat).

The applicant provides the following justification in support of this request:

A general family dentistry office serving the oral health care need of Chester and the surrounding communities since 1990 is located at 12280 and 12290 Iron Bridge Road, Chester, Virginia. In an effort to better serve our patients and our community, we are proposing an addition to the back of this dental office.

On June 15, 2004, the Chesterfield Planning Commission deferred the applicant's request for buffer reduction in conjunction with the approval of a minor site plan for a building addition to their July 20, 2004 meeting.

In 1994, the applicant was granted site plan approval by the Planning Commission that included a ten (10) foot reduction to the required fifty (50) foot buffer adjacent to residentially zoned property. Combined with the ten (10) foot buffer reduction given in 1994, the proposed buffer would be reduced to twenty-five (25) feet from the required fifty (50) feet if the Planning Commission approves the request.

On October 2, 1996, the Board of Zoning Appeals approved a five (5) foot Variance to the fifty (50) foot front yard setback requirement for parking and drives.

As required by the Zoning Ordinance, the applicant has provided no information which would serve as a basis for granting this Variance. Staff finds no conditions upon which this request is based which are unique to the property and do not apply generally to other properties in the area.

Staff believes that this request is an attempt to overdevelop this property. Further, staff believes an alternative exists to this request. The applicant could expand the dentist office onto the two (2) vacant adjacent lots owned by the applicant, thereby eliminating the need for this request.

However, if the Board feels that this request has merit, staff recommends that it be subject to the following condition:

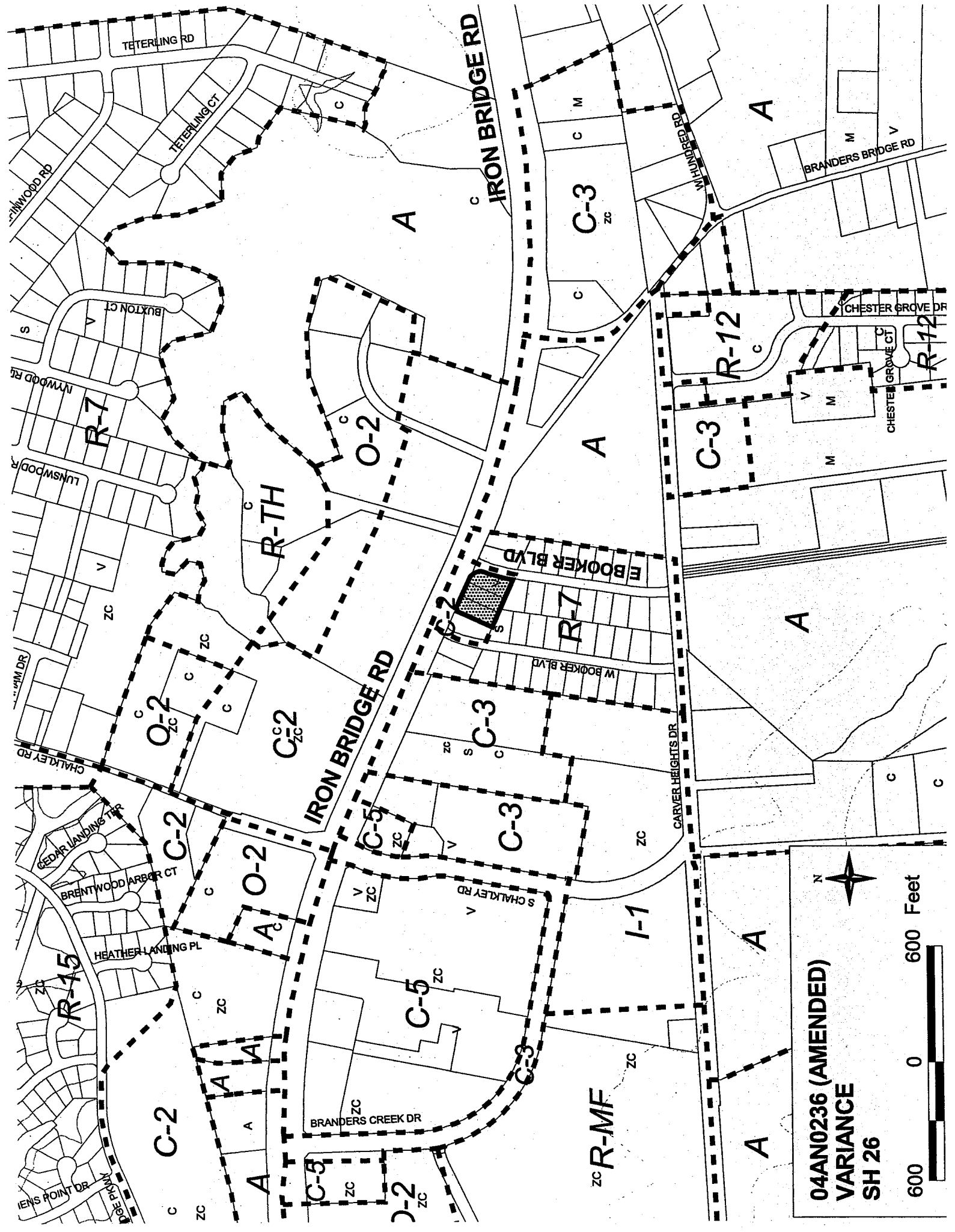
CONDITION

This Variance shall be for the proposed addition only as depicted in the staff report and shall apply only to Tax ID 780-652-5963.

CASE HISTORY

(05-05-04):

The Board deferred this request to their July 7, 2004, meeting to allow the applicant an opportunity to apply with the Planning Commission for a buffer reduction in conjunction with the approval of a minor site plan for a building addition.

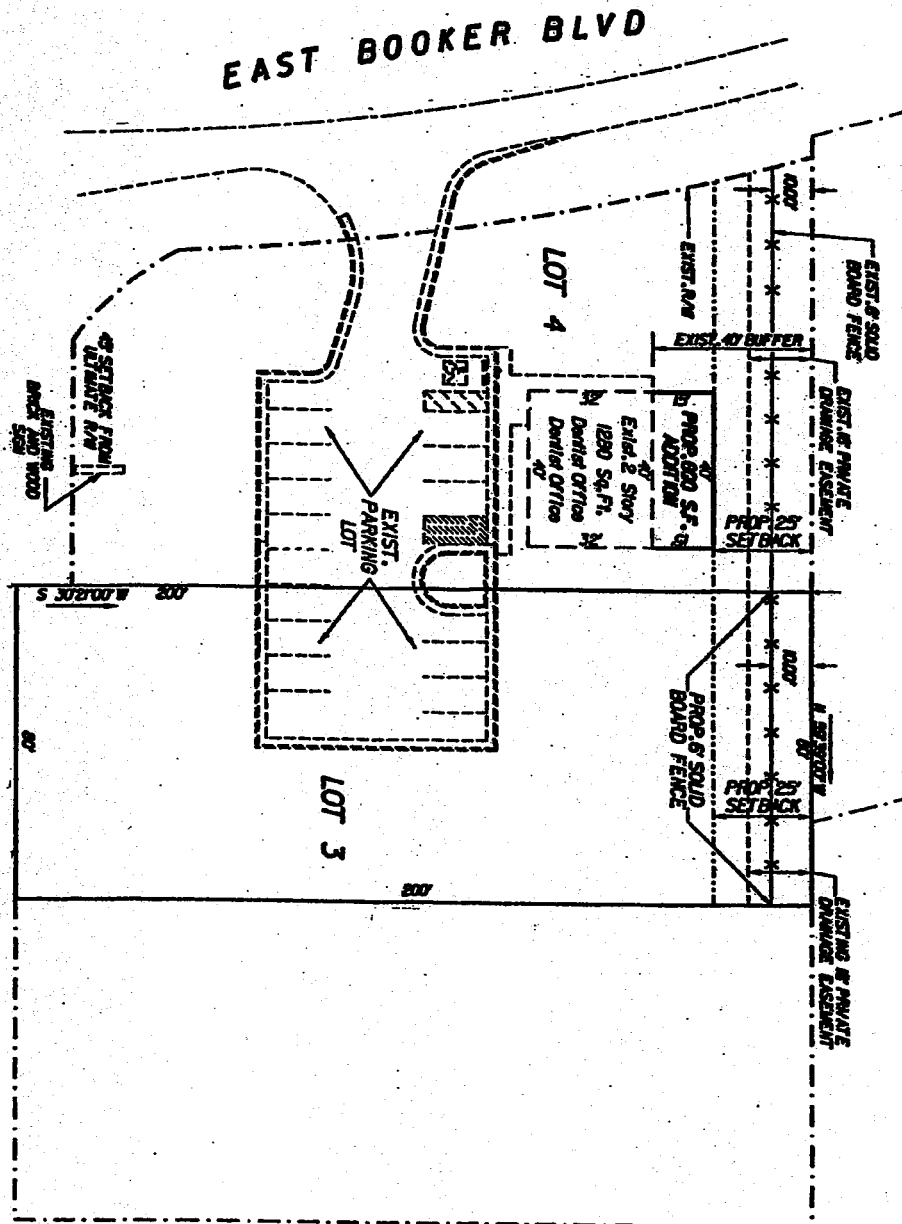


**04AN0236 (AMENDED)
VARIANCE
SH 26**

N

600 0 600 Feet

IRON BRIDGE ROAD - STATE ROUTE 10



04ANO236-1